

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:07CV36-MU

JURGEN CARTER,	)	
Plaintiff,	)	
	)	
v.	)	<u>ORDER</u>
	)	
GOODRICH CORPORATION,	)	
et al.,	)	
Defendants.	)	
_____	)	

**THIS MATTER** comes before the Court sua sponte.

On January 25, 2007, the plaintiff filed an "Application To Proceed Without Prepayment Of Fees And Affidavit" (hereafter, "IFP Application"). Upon the Court's review of that matter, it was determined that the plaintiff does not have sufficient resources from which to pay the entire \$350.00 filing fee for his case, but that he could afford to pay \$50.00 toward that fee. Accordingly, on February 5, 2007, the undersigned entered and Order, directing that the plaintiff pay a \$50.00 filing fee within thirty (30) days of the date of that Order.

The plaintiff also was informed that if he failed to pay the subject partial filing fee as directed, his case could be summarily dismissed by the Court. Now, by this Order, the Court directs the Clerk, upon receipt of the plaintiff's partial filing fee, to prepare and issue process in this matter as hereafter explained.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. In the event the plaintiff does, in fact, timely pay the \$50.00 partial filing fee as previously directed by the Court, the Clerk of Court shall prepare process in this matter and deliver the same to the U.S. Marshal.

2. Upon receipt of process from the Clerk of Court, the U.S. Marshal shall serve process upon the defendants as provided under the Federal Rules of Civil Procedure.

3. In the event that the plaintiff fails to pay the filing fee as directed, the Clerk shall timely advise the Court of that fact so that appropriate action can be taken.

**SO ORDERED.**

Signed: February 9, 2007

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

